IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

WRIT PETITION NO.15879 OF 2007

Dated : August 9, 2007

Between:

Mohd. Aijaz

Petitioner

AND

The Commissioner of Police,
Cyberabad Commissionerate,
Rangareddyb District and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

WRIT PETITION NO.15879 OF 2007

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.S.R. VARMA)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. In this writ petition, the grievance of the petitioner, by name Mohd. Aijaz is that his elder brother namely Mohd. Chand, was illegally detained by the Police, Rajendranagar Police Station, and he apprehends danger to the life of his brother.

3. In response to the notice issued by this Court, counter affidavit has been filed by the 4th respondent, the Inspector of Police, Rajendranagar Police Station, *inter alia,* stating that the alleged detenu was arrested by the Moinabad Police in connection with Cr.No.153 of 2007 for the offence punishable under Sec.380 IPC on 31.07.2007 and was produced before the VIII Metropolitan Magistrate, Rajendranagar, Cyberabad, who remanded him to the judicial custody and that the alleged detenu is now lodged at Central Prison, Cherlapally, Rajendranagar District.

4. Several other particulars have also been furnished in the counter affidavit as regards the circumstances that lead to the investigation and the circumstances during the course of investigation, which are not very much relevant. However, the fact remains that the alleged detenu has been in the judicial custody.

5. In view of the said fact, no further prosecution in this writ petition is necessary.

6. Consequently, the writ petition is dismissed being devoid of merits, at the stage of admission. However, no

order as to costs.

D.S.R.Varma, J.

D.Appa Rao, J.

August 9, 2007
MAS